

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re the Application of

JUL 30 2001

Kazunori KAGAWA et al.

Attention: Office of Petitions

OFFICE OF PETITIONS

Application No.: 09/736,440

Filed: December 15, 2000

Docket No.: 108143

For: BRAKING PRESSURE CONTROL APPARATUS CAPABLE OF SWITCHING BETWEEN
TWO BRAKE OPERATING STATES USING POWER-OPERATED AND MANUALLY
OPERATED PRESSURE SOURCES, RESPECTIVELY**PETITION TO BE ACCORDED
DECEMBER 15, 2000 FILING DATE**Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

A Notice of Incomplete Application was mailed on January 31, 2001 indicating that this application was filed without drawings. On February 8, a Response to the Notice of Incomplete Application was filed indicating that the drawings were filed with the application on December 15, 2000. Copies of the drawings were again provided on February 8 along with a copy of the U.S. Patent and Trademark Office acknowledgement of receipt of the December 15 application and 27 sheets of drawings (Figs. 1-25). For the convenience of the Office of Petitions, copies of the Notice of Incomplete Application and the Response to the Notice, with the U.S. Patent and Trademark Office acknowledgment of receipt, are attached.

It is respectfully requested that the Response to the Notice of Incomplete Application be considered a petition to be accorded the December 15, 2000 filing date. All the filing formalities were accomplished on that date because drawings were submitted, as indicated by the U.S. Patent and Trademark acknowledgement of receipt (which was provided with the Response to the Notice of Incomplete Application). In addition, the Response to Notice of Incomplete Application authorized the U.S. Patent and Trademark Office to debit Deposit Account Number 15-0461 for any fee associated with that communication. Therefore, the petition fee has been addressed. It is noted, however, that a petition fee should not be assessed to this application because the drawings were filed on December 15, 2000.

It is noted that the Official Filing Receipt for this application indicates a filing date of January 8, 2001 (not February 8, 2001 as might be expected). On that date, the original Declaration was submitted to the U.S. Patent and Trademark Office. The original Declaration corresponded to the facsimile copy of the Declaration filed on December 15, 2000.

When considering this petition, the U.S. Patent and Trademark Office is requested to change the filing date on the Official Filing Receipt from January 8, 2001 to December 15, 2000.

The appropriate official at the U.S. Patent and Trademark Office is invited to contact the undersigned if there are any questions regarding this communication.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

Thomas J. Pardini
Registration No. 30,411

JAO:TJP/kaf

Enclosures:

Notice of Incomplete Application
Response to Notice of Incomplete Application with attachments

Date: July 30, 2001

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE
AUTHORIZATION
Please grant any extension
necessary for entry;
Charge any fee due to our
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The following papers have been filed:

App.Tran w/ch#114688 (\$1518); 213pp spec/56clm/abst; 27pp drwg (fig 1-25); Dec; Assg.Tran w/ch#114687 (\$40); IDS; PTO-1449 w/13 refs; Cert.Copies of Prior #11-367991 filed 12/24/99 & 11-367992 filed 12/24/99

Name of Applicant:	Kazunori KAGAWA; Kimihiro MATSUKI; Tetsuya MIYAZAKI; Fumiaki KAWAHATA; Akihiro OTOMO; Eiji NAKAMURA
Serial No.:	New U.S. Patent Application
Atty. File No.:	108143
Title (New Cases):	BRAKING PRESSURE CONTROL APPARATUS CAPABLE OF SWITCHING BETWEEN TWO BRAKE OPERATING STATES USING POWER-OPERATED AND MANUALLY OPERATED PRESSURE SOURCES, RESPECTIVELY
Sender's Initials:	JAO/kaf

C784 U 09/73640 12/15/00

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Kazunori KAGAWA et al.

Application No.: 09/736,440

Attn: Box Missing Parts **OFFICE OF PETITIONS**

JUL 30 2001

Filed: December 15, 2000

Docket No.: 108143

For: BRAKING PRESSURE CONTROL APPARATUS CAPABLE OF SWITCHING
BETWEEN TWO BRAKE OPERATING STATES USING POWER-OPERATED
AND MANUALLY OPERATED PRESSURE SOURCES, RESPECTIVELY

RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

In response to the Notice of Incomplete Non-Provisional Application (copy attached) mailed on January 31, submitted herewith is the stamped postcard stating that the drawings were filed with the application on December 15, 2000. A duplicate set of the originally filed drawings is also attached.

Entry of these documents should complete all of the filing formalities and fully satisfy all requirements of the Notice of Incomplete Non-Provisional Application. Accordingly, examination and allowance of this application in due course are respectfully solicited.

The Director is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461. Two duplicate copies of this paper are attached.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Joel S. Armstrong
Registration No. 36,430

JAO:JSA/kaf

Date: February 8, 2001

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Teleph ne: (703) 836-6400

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/736,440	12/15/2000	Kazunori Kagawa	108143

Oliff & Berridge PLC
P. O. Box 19928
Alexandria, VA 22320

FEB - 2 2001

CONFIRMATION NO. 8816

FORMALITIES LETTER



OC000000005723398

Date Mailed: 01/31/2001

MARCH 31, 2001
MISSING PARTS

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within TWO MONTHS of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(i)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

A copy of this notice MUST be returned with the reply.

Melissa - TSP Bove
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

RECORDED
Mailed on 2/2 2001
and
by CRP on 2/5 2001
Oliff & Berridge